

CIVIL PRACTICE AND REMEDIES CODE

TITLE 4. LIABILITY IN TORT

CHAPTER 94. LIABILITY OF SPORTS OFFICIALS AND ORGANIZATIONS

Sec. 94.001. DEFINITIONS. In this chapter:

(1) "Athletic competition" means any competitive group or solo sporting activity and includes:

(A) football, baseball, soccer, basketball, hockey, swimming, track, wrestling, bike or foot races, triathlon, equestrian competitions, golf, marksmanship competitions, darts, billiards, Frisbee golf, fishing tournaments, car racing, and any similar activity that involves any aspect of physical competition, coordination, endurance, or stamina; and

(B) a rodeo, livestock show, or related event or competition.

(2) "Sponsoring organization" means the individual, club, association, or entity that undertakes to organize, underwrite, sanction, or promote:

(A) an interscholastic, intercollegiate, or other organized amateur athletic competition; or

(B) any rodeo, livestock show, or related event or competition.

(3) "Sports official" means a person who officiates, judges, or in any manner enforces contest rules in any official capacity with respect to:

(A) an interscholastic, intercollegiate, or other organized amateur athletic competition and includes a referee, umpire, linesman, side judge, track or field marshal, timekeeper, or scorekeeper or any other person involved in supervising competitive play; or

(B) any rodeo, livestock show, or related event or competition.

Added by Acts 2015, 84th Leg., R.S., Ch. 348 (H.B. 1040), Sec. 1, eff. June 9, 2015.

Sec. 94.002. LIABILITY OF SPORTS OFFICIAL. (a) A sports official who is engaged in an athletic competition is not liable for

civil damages, including personal injury, wrongful death, property damage, or other loss related to any act, error, or omission that results from a risk inherent in the nature of the competitive activity in which the claimant chose to participate unless the act, error, or omission constitutes:

- (1) gross negligence; or
- (2) wanton, wilful, or intentional misconduct.

(b) Whether a risk is inherent in the nature of a competitive activity is dependent upon:

- (1) the nature of the sport in question;
- (2) the conduct that is generally accepted in the sport; and
- (3) whether the harm occurred during the pursuit of the purposes of the competition.

(c) A mere violation of the rules of play of an athletic competition or failing to call a penalty, missing a call, or failing to enforce competition rules cannot in itself form the basis for liability under this chapter.

Added by Acts 2015, 84th Leg., R.S., Ch. 348 (H.B. [1040](#)), Sec. 1, eff. June 9, 2015.

Sec. 94.003. LIABILITY OF SPONSORING ORGANIZATION. A sponsoring organization cannot be held liable for an act, error, or omission of a sports official absent any new, independent, and separate act, error, or omission of the sponsoring organization that gave rise to the harm.

Added by Acts 2015, 84th Leg., R.S., Ch. 348 (H.B. [1040](#)), Sec. 1, eff. June 9, 2015.